THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.25591 of 2002

14.06.2006

Between

Kothapalli Venkata Subbaraju, S/o.Venkataraju
And others

… Petitioners

AND

The Mandal Revenue Officer, Mandavalli, Krishna District

… Respondent

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.25591 of 2002

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ORDER:

Though the interlocutory applications are listed, the matter is heard finally and is being disposed by this order.

The petitioner and his two brothers are in occupation of agricultural lands in survey Nos.105/2, 105/3B2, 105/B4, 90/2, 105/3B5, 105/3B6, 105/3B7, 105/2 and 99/2B situated at Takkellapadu Village of Mandavalli Mandal in Krishna District. They allege that they made a representation to the Mandal Revenue Officer (MRO) seeking assignment of the land whereupon enquiry was conducted by the Revenue Inspector and report was submitted to the respondent. The MRO also issued pattas on 24.11.1998. However, when the respondent tried to dispossess the petitioner and his brothers, the present writ petition is filed.

This Court admitted the writ petition and issued interim directions on 26.12.2002. In the counter affidavit along with vacate petition being W.V.M.P.No.1261 of 2005, while denying the allegation that there was an attempt to dispossess the petitioners coercively, the MRO states that the petitioners would be evicted after following due process of law and after issuing show cause notice to them.

In view of the categorical averments made by the respondent, this writ petition is disposed of observing that unless and until due process of law is followed, the petitioner cannot be evicted from the lands, which are in his possession.

The writ petition is, accordingly, disposed of. No costs.

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(**V.V.S.RAO, J**)

July 14, 2006.

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